

Remarks

Upon entry of the instant amendment, claims 1, 6 and 7 are pending. Claim 11 has been canceled. The specification has been amended as suggested in paragraph 2 of the Detailed Action to recite the priority of the parent application. In addition, a Terminal Disclaimer is enclosed which should obviate the double patenting rejection. Moreover, it is respectfully submitted that the claims, as amended, define the subject matter of the invention in a way that defines patentable subject matter over the references of record and different than as was presented before the Board of Appeals. Accordingly, it is respectfully submitted that the application, upon entry of the instant amendment, should be condition for allowance.

Double Patenting Rejection

Claims 1, 6, 7 and 11 have been rejected under the judicially-created doctrine of the obviousness-type double patenting as unpatentable over claims 1, 5, 6 and 8 of commonly-owned U.S. Patent No. 6,292,181. A Terminal Disclaimer is enclosed which should obviate this rejection. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Rejection of Claim 1, 6,7 and 11 as Affirmed by the Board of Appeals

In response to this rejection as well as the rejection under 35 USC 102(e) set forth in paragraph 7 of the Detailed Action, it is respectfully submitted that the claims, as amended, recite subject matter previously not presented before the Board in the form of an Amendment and which clearly defines over the McCain et al. patent. In particular, the claims now recite that the host computer is configured to host a plurality of application programs which are selectable and under the control of the remote interface. It is clear that the system disclosed in the McCain et al. patent relates to a client-server interface between a host computer and a remote device. In contradistinction, the user interface recited in the claims at issue need not form a network connection with the host in order to select application programs, such as an Ethernet or Token Ring network as indicated of McCain et al. device (McCain et al., col. 2, line 60). In other words, the system disclosed in the McCain et al. patent relates to a wireless local area network

(LAN) system ("one or more network interface modules 12, which can be used to allow the nodes to communicate with host computers 13", McCain et al., col. 2, lines 54-57). An important difference between the two is that in the case of the present invention, the wireless interface device can connect with any remote host that is available as opposed to the system in McCain et al. device which can only be connected to devices whose addresses have previously been identified on the network. Based on the above, the Examiner is respectfully requested to reconsider and withdraw the rejection of these claims.

Respectfully submitted,

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